

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

WP(C).No. 29145 of 2007(T)

PETITIONER:

**T.R.SANU, AGED 34 YEARS,
S/O. RAVINDRAN, S & R CABLE VISION, CC 25/5,
MALSYAPURI P.O., VENDURUTHY, KOCHI-29.**

**BY ADV. SRI.RENJITH THAMPAN
SRI.V.M.KRISHNAKUMAR**

RESPONDENTS:

- 1. COCHIN PORT TRUST,
REPRESENTED BY ESTATE MANAGER, COCHIN PORT TRUST,
W.ISLAND, KOCHI.**
- 2. EXECUTIVE ENGINEER (ELE.),
O/O THE EXECUTIVE ENGINEER, (ELE.),
COCHIN PORT TRUST, W.ISLAND, KOCHI.**
- 3. VATHURUTHY CABLE COMMUNICATIONS (VCC),
REPRESENTED BY ITS PROPRIETOR, C.K.GOPI,
CHERUVALLIL HOUSE, KOLLASSERY ROAD, PALLURUTHY.**

BY ADV. SRI. B.S. KRISHNAN SC FOR R1

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.29145 OF 2007

Dated this the 3rd day of October, 2007

JUDGMENT

Petitioner complains that the third respondent has been unauthorisedly permitted by respondents 1 and 2 to draw cable TV lines beneath the Venduruthy bridge and also to utilise poles which are allotted to the petitioner for drawing cables. Rights if any vis-a-vis the petitioner and respondents 1 and 2 can obviously be on the basis of agreement between the parties. If it is the assertion of the petitioner that the first respondent has acted in violation of that agreement, he has adequate and efficacious remedies before the civil court. That does not immediately mean that he has any right which calls for adjudication by the writ court. That apart, any decision of respondents 1 and 2 to grant any benefit to the third respondent is a matter entirely within the commercial wisdom of the first respondent and cannot be agitated by the petitioner, who is only a rival entrepreneur as against the third respondent. These are not matters which could gain attention of the writ court. Hence,

the writ petition is dismissed without prejudice to the contentions and to the petitioner's liberty to take recourse to appropriate measures, if he has any grievance.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

k kb.